THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.25634 of 2005

Date: 04.01.2006

Between:

V.Lokacharyulu.

.. PETITIONER

AND

The Commissioner and others.

.. RESPONDENTS

ORDER:

The petitioner is appointed as a Vedaparayanadar initially in Sri Balaji Venkateswara Swamy Temple, Khammam District, 3rd respondent herein. Disputes arose as to the scale of pay to be applied to the petitioner. He approached this Court by filing W.P.No.3596 of 1995. The Writ Petition was disposed of on 20.11.1995, directing that he shall be paid the salary on par with the Vedaparayanadars appointed in the Temple registered under Section 6(a) of the A.P.Charitable Hindu Religious Institutions and Endowments Act, 1987. Acting on the same, the 3rd respondent issued proceedings, dated 02.05.2003, fixing the pay scale of the petitioner at Rs.7,650/-. In the meanwhile, the petitioner was transferred from one Temple to another. At one point of time, he was employed with Sree Setha Ramachandra Swamyvari Devasthanam, Bhadrachalam. The grievance of the petitioner is that the respondents have reduced his pay scale drastically without any intimation to him.

On behalf of the 3rd respondent, a counter affidavit is filed. It is admitted that the petitioner was appointed as a Vedaparayanadar. As regards the

modification of the pay scale of the petitioner, it is stated that proceedings, dated 29.07.2004, were issued re-fixing the pay of the petitioner in the scale of Rs.6,350-13,000/-, on the ground that the earlier fixation of pay scale was erroneous. Reference is made to several other proceedings and correspondence that ensued between various Temples, in which the petitioner worked.

Heard the learned counsel for the petitioner, the learned Government Pleader for Endowments and the learned Standing Counsel for the 3rd respondent.

Way back in the year 1995, this Court held in its order in W.P.No.3596 of 1995 that the petitioner is entitled to be paid the salary on par with the Vedaparayanadars appointed in 6(a) Temple. It was in this context that the 3rd respondent issued proceedings dated 02.05.2003, placing the petitioner in the pay scale of Rs.7,150-13,000. If the respondents were of the view that there is any error in such fixation, they ought to have put the petitioner on notice. However, the 3rd respondent has chosen unilaterally, to reduce the pay scale to Rs.6,350/-, through proceedings, dated 29.07.2004. There does not exist any basis for the same. The 1st respondent, who transferred the petitioner from one Temple to another, was under obligation to ensure that the transfer does not result in reduction of pay scale of the petitioner.

For the foregoing reasons, the Writ Petition is disposed of, directing that the respondents herein shall implement the proceedings, dated 02.05.2003, through which the pay scale of the petitioner was fixed at Rs.7,650/- and continue to pay the same, till any revision thereof takes place. The 1st respondent shall take necessary steps to ensure that the petitioner is paid the arrears by the concerned Temple or Institution, where the petitioner worked. It shall, however, be open to the respondents to revise the pay scale of the petitioner, duly serving notice on him, indicating the reasons therefor. There shall be no order as to costs.

_____

04.01.2006

Jsu